

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
JASPER DIVISION

SCOTT BARRETT,)	
)	
Plaintiff,)	
)	CASE NO.:
vs.)	
)	CV-07-RRA-0305-J
RALPH WILLIAMS, et al.,)	
)	
Defendants.)	

Memorandum of Opinion

This is a civil action filed by the plaintiff, Scott Barrett, against the defendants, John Mark Tirey, Sheriff of Walker County, Alabama, in his official capacity; Deputy Ralph Williams, individually and in his official capacity; Deputy Paul Kilgore, in his official capacity; Walker County, Alabama; and Walker County Commissioner Bruce Hamrick, in his official capacity. The case was originally filed in the Circuit Court of Walker County, Alabama, on January 18, 2007. The defendants removed the action to this court on February 15, 2007. (Doc. 1).

The case is presently before the court on the motion to dismiss filed by Walker County, Alabama, and Walker County Commissioner Bruce Hamrick. (Doc. 2). The court will also consider the motion to dismiss filed by Sheriff John Mark Tirey and Deputies Ralph Williams and Paul Kilgore. (Doc. 4). A briefing schedule was entered for both motions; however, the plaintiff did not respond to the motions.

On June 18, 2007, the magistrate issued a report and recommendation and recommended that the motions be granted and that this case be dismissed. The time for objections has now expired and no party has objected to that recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED.

An appropriate order will be entered.

DONE this 9th day of July 2007.

A handwritten signature in black ink, reading "Inge Prytz Johnson", written in a cursive style.

INGE PRYTZ JOHNSON
U.S. DISTRICT JUDGE